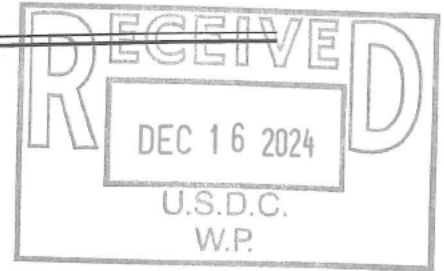


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Justin Germaine



Write the full name of each plaintiff or petitioner

-against-

James Gibbs et al.,

Write the full name of each defendant or respondent

PLEASE TAKE NOTICE that

requests that the Court:

Allocation of funds

Briefly describe what you want the court to do and the statute under which you are making the motion, if you know.

Application denied without prejudice to re-file if Plaintiff does not receive \$3,517.00 from the Government by January 19, 2025.

The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 62.

SO ORDERED.

[Signature]

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
December 19, 2024

In support of this motion, I submit the following documents (check all that apply):

- ☐ a memorandum of law
☒ my own declaration, affirmation, or affidavit
☒ the following additional documents: Germaine v. Gibbs et al

23-cv-01305 (PMH)

12-10-24

Dated

Justin Germaine

Name

Justin Germaine

Signature

99718-038

Prison Identification # (if incarcerated)

Fcc Oakdale II, PO Box 5010

Address

Oakdale

City

LA

State

71463

Zip Code

N/A

Telephone Number (if available)

N/A

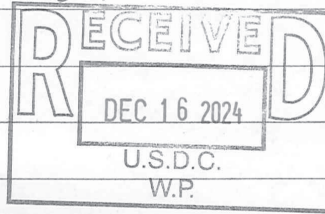
E-mail Address (if available)

12-16-24

Justin Germaine

V.

James Gibbs et al.,



NO: 23 CIV. 1305 PMH

To: US District Judge Philip M. Holpern, or Clerk of the Court.

On August 19, 2024 parties from the matter Justin Germaine v. James Gibbs et al., Over a phone conference the parties came to a settlement agreement. On October 3, 2024 Judge Holpern signed and ordered payment of the settlement amount of \$20,000. Of that \$7,500 is to go to plaintiff and 12,500 to the treasury dept for restitution regarding another matter.

Throughout the past two months I've communicated with AUSA Alexander Kristofcak. I've inquired about the agreed upon settlement. I still have not received payment. Mr Kristofcak asked for notification if I did not receive it by the end of November 2024 as document marked A-3 shows. I've included several pages to support facts for this motion request.

I now request a motion be filed for Allocation of Funds for the plaintiff to be paid in a timely manner. Plaintiff request if payment is not made by deadline the court impose an interest percentage added. Thank you for your time considering this motion.

From,

Justin Germaine

Case 7:23-cv-01305-PMH

Document 62

Filed 12/16/24

Page 2 of 6



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 22, 2024

By CERTIFIED MAIL

Justin L. Germaine
99718-038
Federal Correction Complex Oakdale II
P.O. Box 5010
Oakdale, LA 71463

Re: *Germaine v. Gibb, et al.*, No. 23 Civ. 1305 (PMH)

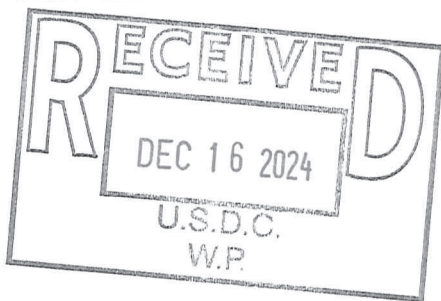
Dear Mr. Germaine:

In accordance with the oral agreement we reached during the settlement conference on August 19, 2024, enclosed with this letter, please find the Stipulation and Order of Settlement and Dismissal. I am also including a pre-paid envelope for you to send back the signed agreement or any comments you may have.

Best regards,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Alexander Kristofcak
ALEXANDER KRISTOFCAK
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-2768
Email: Alexander.Kristofcak@usdoj.gov



A-2

Facsimiles and/or PDFs of signatures shall have the same force and effect as original signatures and constitute acceptable, binding signatures for purposes of the Stipulation.

Dated: October 3, 2024
New York, New York

DAMIAN WILLIAMS
United States Attorney
Attorney for the Government

By: Alexander Kristofcak
ALEXANDER KRISTOFCAK
Assistant United States Attorney
86 Chambers Street, Third Floor
New York, New York 10007
Tel.: (212) 637-2768
Alexander.Kristofcak@usdoj.gov

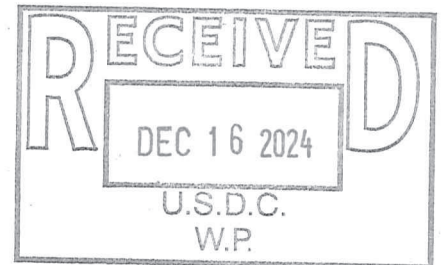
Dated: September 3, 2024
Oakdale, Louisiana

By: Justin L. Germaine
JUSTIN L. GERMAINE
Plaintiff, Pro Se

SO ORDERED:

Dated: October 4, 2024
New York, New York
White Plains

Philip M. Halpern
HONORABLE PHILIP M. HALPERN
U.S. DISTRICT JUDGE





U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

November 1, 2024

By U.S. MAIL

Justin L. Germaine
99718-038
Federal Correction Complex Oakdale II
P.O. Box 5010
Oakdale, LA 71463

Re: *Germaine v. Gibb, et al.*, No. 23 Civ. 1305 (PMH)

Dear Mr. Germaine:

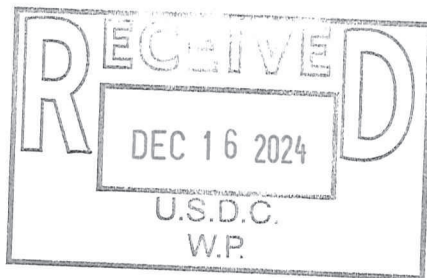
I write in response to your letter dated October 9, 2024. I received your previous letter in which you requested that the Government send the \$7,500 portion of the settlement payable to you to your father's address. I went ahead and made this change in the settlement agreement and submitted it to the Court. Attached for your reference is a copy of the settlement agreement signed by the Court in ECF No. 61.

On October 7, 2024, I submitted the settlement for payment to the judgment fund. It typically takes several weeks for payment requests to be processed. Please let me know if your father has not received by the check by the end of November and I will investigate.

Respectfully,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Alexander Kristofcak
ALEXANDER KRISTOFCAK
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-2768
Email: Alexander.Kristofcak@usdoj.gov

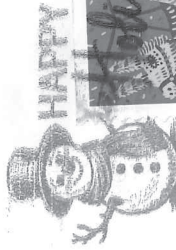


↔99718-038↔

Justin Germaine
#99718-038
Federal Correctional Complex
P.O. Box 5010
Oakdale, LA 71463
United States

SHREVEPORT LA 710

10 DEC 2024 PM 3 L



US District Court
Southern District of New York
300 Quarropas St.
White Plains New York
10601

USM
SDNY



10601-414000

